Tells the Facts and Names the Names

\$2.50

CounterPunch

December 16-31, 2003 *Alexander Cockburn and Jeffrey St. Clair* VOL. 10, NO. 22

Our Little Secrets

The Faces of Janus

By Alexander Cockburn

For a vivid account of just how bad the Times has always been, I strongly recommend John L. Hess's memoir My Times, A Memoir of Dissent, published by Seven Stories Press. Hess, heterodox, cultured and irreverent, is the Ideal Type of what members of the profession of journalism should be, but who are usually leached out of the system in the dawn of their careers. He was a brilliant Paris correspondent for the Times in the 60s and early 70s, returned to New York and promptly wrote memorable exposes of the Metropolitan Museum (notably the incredible antics of its director Thomas Hoving), and of New York's nursing homes.

Then Hess and his wife Karen briefly took charge of the food and restaurant column and caused turmoil in that back-scratching sector. These days on the CounterPunch website we're glad to run some of the acerbic commentaries he does for WBAI. Real journalists don't end up teaching ethics (aka kissing corporate ass) in journalism schools. They write till they drop. John Hess is a real journalist, virtually an extinct breed. Long may he write.

Hess explains in colorful detail exactly why and how the Times is a rotten paper, lurid with complacency and cowardice, the Times's Janus faces. In his caustic pages there is nothing more savage, and contrite than his account of what the New York Times did not report about the Vietnam War in the late 1960s. Hess recounts how he attended a session in Paris of Bertrand Russell's War Crimes Tribunal where, long before the My Lai massacre surfaced in

(**OLS** *continued on page 2*)

Steal a Tree, Go to Prison; Steal a Forest, Sleep in the Lincoln Bedroom

By JEFFREY ST. CLAIR

Stealing trees is as old as the King's timber reserves. The sanctions for such sylvan thievery have always been harsh. In medieval England, it meant public torture and slow death. In the US, the levy was a kind of financial death penalty: triple damages plus serious jail time.

A couple of years ago, two tree poachers drove a log truck onto a small farm in central Indiana after midnight, cut down two 100-year old black walnut trees in the small woodlot, loaded the pilfered trunks onto their truck and fled across a cornfield. The county sheriff caught them when their truck stalled in the field and sank in the mud. It turns out that the men had been hired by a local sawmill owner, who was set to sell the lumber to a German timber broker. All three men were tried and convicted of tree theft.

The black walnut trees, highly prized by German furniture makers, were valued at \$150,000 each. The men were hit with \$900,000 in fines and three years of jail time.

Contrast this with evidence coming out of a trial in Portland, Oregon concerning timber theft on a vast scale. According to internal documents from the US Forest Service, more than 10 percent of all trees cut off of the national forests are stolen, usually by timber companies that deliberately log outside the boundaries of timber sales offered by the agency. The annual toll involves hundreds of thousands of trees valued at more than \$100 million.

The situation was so rife with theft and fraud that in 1991 Congress set up a Timber Theft Task Force to investigate tree stealing on federal lands. The 10-person team launched three probes: timber theft on the ground; accounting fraud and complicity; obstruction of justice by Forest Service managers.

The team won an early victory. In 1993, the Columbia River Scaling Bureau, a supposedly independent accounting agency that measures and values timber logged off the national forests in Oregon and Washington, was convicted of fraud. The Bureau deliberately undervalued logs in return for kickbacks from timber companies. The firm was hit with a \$3.2 million fine.

But this was just a tune up for much bigger fish, namely the largest privately-owned timber company in the world: Weyerhaeuser. The investigation was code-named "Rodeo". The task force had compiled evidence that Weyerhaeuser had illegally cut more than 88,000 trees off of the Winema National Forest in southern Oregon. The pilfered trees were valued at more than \$5 million. Moreover, investigators suspected that managers in at least three different Forest Service offices had gotten wind of the investigation, tipped off Weyerhaeuser, destroyed documents and tried to silence agency whistleblowers.

As the investigation picked up steam in the spring of 1995, the head of the task force, Al Marion, traveled to Denver for a secret meeting with the chief of the Forest Service, Jack Ward Thomas, hand-picked for the position by Bill Clinton. Thomas, a wildlife biologist, had won the job after his role in spearheading Option 9, the infamous Clinton forest plan that restarted logging in the ancient forests of the Pacific Northwest.

Marion outlined the investigation for Thomas and Manny Martinez, his newly-appointed deputy for law enforcement. The lead investigator told Thomas that the evidence was compelling and that there would be a good probability of criminal convic-

(**Tree Theft** *continued on page 3)*

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(**OLS** *continued from page 1)*

the US press, Vietnamese witnesses testified about that and other monstrous killings. The Times thought it beneath the Times's dignity to cover the Tribunal.

Every journalism student, and every reporter should have this book in their backpacks.

So. Africa Sojourn

By Lawrence Reichard

I spent the last 17 days of 2003 and the first five days of 2004 in South Africa and Mozambique. The hottest topic of the day wasn't AIDS, Iraq or even South Africa's World Cup bid – it was South African President Thabo Mbeki's cozying up to Zimbabwean President Robert Mugabe, and it was roundly condemned by everyone I spoke with, black and white.

But no one excoriated Mbeki quite like Tore, the white Zimbabwean farmer with whom I shared a compartment on the 26-hour train from Cape Town to Johannesburg. Or should I say ex-farmer. Six months ago men arrived at his farm-cum-private wildlife park, announced they were veterans of the war against white rule and took his land. I spent 26 hours with a shattered man. The look in his eyes was as vast and distant as the Karoo desert we were traversing. He had lost everything. "Mbeki is a racist," Tore said. "Just like Mugabe. He hates whites. Mbeki wants to do what Mugabe is doing, but he can't." I told him I didn't believe him, that blacks in South Africa didn't seem interested in a Mugabe-style pogrom against whites. "That's where you're wrong," Tore said. "All the smiles and waves you get from black South Africans, it's all lies," implying that what South African blacks really wanted was to get on with the business of slitting white throats.

I told Tore I didn't believe him, that the widespread friendliness of South African blacks seemed genuine to me. But a week later a black security guard on the train from the Mozambique border to Johannesburg agreed with Tore. I was stunned. I still don't know where the truth lies, but I'm beginning to think it's somewhere in the middle.

Tore had a dark, pessimistic view of everything. Whether this predated the taking of his land I don't know. Tore explained each new ominous and morbid philosophy by means of an allegory based on tangible elements of the much more real world around us. What finally sent me scurrying for the train manager to ask about changing compartments was the sentence that began with, "Let's say for example I were to cut you open." I scarcely stuck around to hear the end of that prize sentence. The train manager was a sweet, gentle giant of man, and he promised to do what he could, but the train was pretty full. I didn't see him again until the next morning when he stopped by in an apparent effort to satisfy his curiosity as to just how loopy my compartment mate really was.

The highlight of my four days in Maputo was a visit to the Museum of the Revolution. Fifteen cents to get in and I had the entire four floors almost to myself. Just as you enter there's the VW station wagon owned by Eduardo Mondlane, one of the two key leaders of the revolution, assassinated in 1969, five years before the Portuguese ceded power to the insurgent Frelimo. There were Mondlane's diplomas. B.A., Oberlin 1953. M.A., Northwestern 1956.

A white woman figured prominently in the photos of Mondlane's funeral. I asked the caretaker about her and received in return my own personal museum guide. Mondlane met his wife Janet while studying in the US, and she and their three children still live in Maputo. There were photos of guerilla camp meetings being addressed by Samora Machel, the other key Frelimo leader and first president of independent Mozambique. There were photos of guerillas in formation dressed, literally, in rags. Next to these were photos of lavish colonial parties and smiling white men standing next to lynched blacks. There were copies of mimeographed Frelimo newsletters published in Dar es Salaam during the height of the fighting, and there were crudely typed notes from Frelimo's peace negotiations with the Portuguese, with scribbled notes in the margins. There were photos of an openly exuberant Frelimo delegation celebrating conclusion of the talks, and of Samora Machel's nationwide victory tour, replete with mass rallies. Good stuff.

Maputo is a little rough around the edges. There are potholes and litter, and some of the city's beautiful old buildings have fallen on hard times. But other buildings, including the train station and Metal House, both designed by Eiffel, are doing fine. The only panhandlers I encountered were kids. I came upon a pack of them, six or eight; they were dumpster diving. "Hey, Moreno," one of the kids said, flashing an ear-to-ear grin. "You gonna help me out?"

The oldest mosque in Mozambique is being renovated with funds from Saudi Arabia. I was admiring the building when Antonio, one of Maputo's ubiquitous security guards, approached me. We fell into conversation about Mozambique's wars. Actually, Mozambicans call the post-independence fight against the counterrevolutionary forces of Renamo "the destabilization". They pointedly avoid dignifying it as a legitimate war. "It was a complete fabrication," Antonio said. "It was an invention of South Africa and other countries." "You mean my country?" I asked. Antonio smiled. He was too polite to name my country. After all my country had done to his. Renamo was famous for cutting off the ears of its victims. I was taken aback by this unnecessary politeness. It seemed a far cry from Tore's apocalyptic visions of a ravenous black thirst for revenge.

In South Africa, before taking off for Maputo, I had Christmas dinner with a very senior South African government official. Unfortunately her mind was on her vacation and the conversation for the most part steered clear of politics. Instead we talked about British internment of Boer women during the Boer War and the massive disease and death this entailed. The brother of my Anglophone friend, a successful businessman who was jailed and tortured by the apartheid government, defended the internment and foisted blame for the internment camps' pestilence on poor Boer hygiene, but my government friend was having none of

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Published twice monthly except August, 22 issues a year:
$40 individuals,
$100 institutions/supporters
$30 student/low-income
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Petrolia, CA 95558
1-800-840-3683 (phone)
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it. Later in the evening my government friend recalled with relish an official dinner she had with, among others, Senator Pat Roberts, chair of the Senate Intelligence Committee. During the course of this official dinner, Roberts leaned over and told my friend what beautiful eyes she had. My friend was shocked. It's good to know the ugly American is still alive and well. It gives hope that sheer incompetence will apply some sort of brakes to the seemingly inexorable march of empire.

***Editors' note:** here's where the phrase "concentration camp" originated. See the 1933 supplement to the Oxford English Dictionary: "concentration camp, a camp where non-combatants of a district are accommodated, such as those instituted by Lord Kitchener during the South African War of 1899-1902." OED cites a speech by J. Ellis in the House of Commons delivered on March 1, 1901, referring to "the policy of placing the women and children confined in the concentration camps in South Africa, whose husbands and fathers are in the field, on reduced rations."

A MYSTERY WRAPPED IN AN ENIGMA: DAVID DUKE AND KIEV

Before the trip that furnished the material for his excellent diary Reichard, a freelance writer in Stockton, California, happened to be checking through the website of neo-Nazi David Duke and spotted the following: "August 2002, David Duke receives honorary doctorate in political science from the University of Kiev, Ukraine."

Reichard promptly fired off an email to Kiev asking whether the University of Kiev has ever conferred an honorary doctorate upon David Duke? Back came the answer: "Dear Mr.Reichard, David Duke is not on the list of Honorary Doctors of Taras Shevchenko National University of Kyiv. This University didn't confer any degree in August, 2002, as it is stated in Duke's biography www.duke.org/biography.html. Best regards,

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WHY PINKO TERRORISTS LAUD STERLING MARTIN

Earth First! is justly famous for its baccanalian parties, featuring nude dancing, ribald songs, group howling and creative pyromania. Last month one of the CounterPunch editors dropped in on an Earth First gathering in the Oregon Cascades and was struck by an odd toast offered by one of the leaders of this jolly band of sylvan pranksters. Extending his mug of Black Butte Porter toward the crackling bonfire, he shouted: "Here's to Sterling Marlin, our blessed hero!" The salute was greeted by applause and shouts of "Hear! Hear!". Someone broke into song. "Here's to Sterling Marlin, every Earth First girl's darlin'…"

Did someone spike the porter? Sterling Marlin…the NASCAR driver? Lionized by Luddites? The very same. Apparently, it all goes back to Dale Earnhardt, the bad boy of stock car racing who perished two years ago when his race car slammed head-on into the wall at Daytona. Earnhardt, known as "the Intimidator" to NASCAR fans for his homicidal driving habits, hated environmentalists and repeatedly singled Earth First! out as a group of "pinko terrorists and tree Nazis". So how does Sterling Marlin fit in? It was his Number 40 Coors Lite Dodge that nudged the rear end of Earnhardt's Chevy at 200 miles per hour sending him hurtling into his fatal collision. So raise a glass to the leadfoot from the Smoky Mountains, but, remember, don't drink and drive.

Here's to Sterling Marlin, every Earth First! girl's darlin'!

THE MAGNIFICENT NINE

Thanks to all CounterPunchers who read our list of nine great groups needing money and who reached for their checkbooks. We've already had a grateful note from New Mexico Peace Action, which was on the brink of financial disaster until a passel of checks from CounterPunch tumbled into its letterbox. The parents of Rachel Corrie tell us their new foundation, The Rachel Corrie Foundation for Peace and Justice, had a similar windfall, as did others such as CURE, which campaigns for prisoners' rights. CP

(**Theft** *continued from page 1)*

tions and recovery of large civil fines.

According to notes from the session taken by Martinez, Thomas told Marion that he would give his team "18 months to finish the cases" and promised them an additional $300,000 to pursue the investigation. In the next few weeks, the team developed new leads suggesting that Weyerhaeuser's tree theft was systematic and may have been occurring on three other national forests in the region. One estimate suggested that Weyerhaeuser might have been illegally logging more than 33,000 trees a month.

Most of the illegal logging done by Weyerhaeuser occurred in so-called salvage sales, where only dead and dying trees were meant to be cut. Instead, Weyerhaeuser crews, often operating at night, logged off thousands of healthy ponderosa pines and hauled them to mills under cover of darkness.

On other occasions, timber theft investigators alleged, Weyerhaeuser crews logged off green trees in open daylight under the nose of Forest Service officials and then bundled the green trees in with stacks of dead lodgepole pines. "They bundled the trees, sometimes 20 trees to a bundle," says Dennis Shrader, the lead investigator in the Rodeo case. "I estimated that as many as 10 trees per bundle were green trees."

Yet, just as the task force was closing in on the culprits, its work came to a crashing halt. Less than four weeks after the Denver meeting with Jack Ward Thomas, Marion received a bizarre letter from the chief thanking him for his service and disbanding the task force immediately. The letter was hand delivered by Martinez.

Marion and his colleagues were out of a job. Thomas ordered their files seized and locked in a vault, where they remained for the next 10 months. Marion retired rather than be relocated to West Virginia. Shrader, the head of the Weyerhaeuser investigation, was reassigned to a desk job in a storage closet in the Portland office of the Forest Service.

Why did Thomas pull the plug? It now seems evident that the order came directly from the White House in order to protect Weyerhaeuser executives, who were longtime friends and backers of Clinton, his chief of staff Mac McLarty and his top White House counsel Bruce Lindsay.

In the 1960s, Seattle-based Weyerhaeuser, enticed by cheap land prices and non-union labor, began buying up forestland in the southeast. By the time Bill Clinton was elected governor in 1978,

(**Theft** *continued on page 6)*

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Before Kill and Run was There Rape and Run?

Documents Show the FBI Gave Janklow a Pass

By Stephen Hendricks

On December 8 South Dakota's at-large representative, Republican Bill Janklow, was convicted of manslaughter in the second degree. For speeding through a stop sign and killing a man he faces up to a decade in a prison that for two decades he had overseen as governor and attorney general.

This is not the first felony for which Janklow has been accused, only the first for which he has been convicted. In 1967 he was alleged to have raped a Lakota girl on South Dakota's Rosebud Indian Reservation. This much has been known for years. But newly found papers show what Indians have long suspected but never been able to prove: The FBI cleared Janklow of the rape in three investigations that were more charitable than rigorous. The story goes to the heart of the FBI's curious Indian history, a history that swerved between casual neglect and pathological subversion.

But first Janklow. When he was accused of rape in 1967, police with the Bureau of Indian Affairs investigated, with results not made public, then passed the case to the FBI. (Under federal law, tribal cops may make only token investigations of most felony complaints. Final investigative authority, in a nice bit of colonial panache, lies with the FBI.) The results of the FBI's inquiry were also unknown, but based on them the U.S. attorney declined to prosecute.

Six years later prosecutor Janklow famously won riot convictions of leaders of the American Indian Movement. On the strength of this, he stumped for state attorney general in 1974. A month before the election, AIM resurrected the rape charge in the court of the Rosebud Sioux Nation. The court ordered the BIA and FBI, both of which were covertly and overtly sabotaging AIM, to surrender their investigative files. They did not. The court ordered Janklow to appear for a hearing. He did not. The court took testimony nonetheless and concluded it was "satisfied that the rape allegations against Janklow are properly proven for the purposes of the hearing held today." But tribal dominion over non-Indians is slight, and the judge could do no more than expel Janklow from the tribal bar. A week later, two of three South Dakota voters elected Janklow attorney general.

In 1975 President Ford nominated Janklow to the board that oversees federal legal aid programs. Before his confirmation hearing, the White House asked the FBI to vet him. The Bureau found him clean. But at his hearing, AIM again cried rape, and Janklow abruptly left the Senate committee room moments before he was to testify. Puzzled staff searched for him for hours before discovering he was on a plane back to Pierre. Days later Janklow reconsidered, the Senate asked the FBI to make a third investigation, and again he was cleared. In committee Alan Cranston, the liberal Californian, agreed there was "absolutely no substantiation in any way for any one of the charges", a phrase Janklow is given to quoting.

"Jancita Eagle Deer said that on a Saturday night Janklow drove her four miles outside the town of Mission, raped her in his car, then drove her back."

But early this year, when Janklow was seated for his first term in the House, Indian Country Today columnist Suzan Shown Harjo (prompted by activists Hank Adams and David Harris) suggested the rape allegation had not been adequately scrutinized. Soon thereafter I suggested to Janklow's spokesman that since the FBI files exonerated Janklow, releasing them could put the matter to rest. He agreed and promised copies but reneged after conferring with the Congressman. My requests to the FBI, BIA, and U.S. attorney also proved barren: All have denied having the files.

I found the files anyway in 20-year-old court records involving Janklow. In them, Jancita Eagle Deer said that on a Saturday night Janklow drove her four miles outside the town of Mission, raped her in his car, then drove her back. The drive lasted 50 minutes. Confronted, Janklow agreed with the eighth-grader's story, minus the rape. But a day later, without explanation, Janklow said the drive was only 15 minutes, enough to get to and from the darkened field but too short for rape. Three witnesses bolstered his alibi, yet two claimed to be with Eagle Deer, in different places, during the alleged rape. (The third witness was a teenage sister of one of the others.)

There is no sign the FBI noticed the conflicting alibis, much less asked Janklow or his witnesses about them. John Penrod, the agent on the case, now retired, told me it would have been standard to note such contradictions in writing. He didn't. Nor did he collect physical evidence such as clothes, search the car, or look for tire tracks, important because Janklow said he merely U-turned at field's edge while Eagle Deer said he drove farther in and parked. Penrod explained that the U.S. attorney opposed such legwork: "You'd wait to see if he wanted to prosecute, then gather that kind of evidence." But a decision to prosecute could take weeks, by which time any evidence that could still be found would be tainted. (The assistant U.S. attorney on the case, Ronald Clabaugh, denied Penrod's claim, but Penrod worked the reservation for nine years and was adamant.)

Wesley Swearingen, a 25-year FBI agent from that era and author of the whistleblowing FBI Secrets, said he "can't imagine" any agent not collecting physical evidence immediately. But he adds, "If the U.S. attorney isn't hot on prosecuting rape on a reservation, the agent could feel he's wasting his time." Swearingen compared his work investigating bank robberies, where "a squad would go immediately to the bank, two agents would do nothing but dust for prints and look for fibers, others would in-

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terview witnesses, and another would work outside." It would not surprise most Indians that the FBI valued deposits more than their lives.

It gets worse. Eagle Deer raised her complaint the Sunday after the Saturday drive, but she wasn't taken to a doctor till Monday. Much of the Indian Health Service was (and to a lesser but still troublesome degree is) peopled by doctors who were inexperienced or unable to get jobs elsewhere. The young doctor who saw Eagle Deer was fresh from med school. He had to find a book on how to do a rape exam. Even after his cramming, he didn't know that a 36-hour lapse between sex and exam would sharply cut the odds of finding semen, that rape could occur absent semen, that he should swab for semen outside the vagina, or that he should look for foreign pubic hairs. When Eagle Deer complained of a tender thigh, he didn't see a possible connection with sexual assault. And because he never looked for bruises or scratches beyond the pubic area, he completely missed the nickel-sized hickey on her breast (visible in investigative photos), which she credited to Janklow. There was no semen, the doctor said, hence no rape. Penrod and assistant U.S. attorney Clabaugh agreed and closed the 1967 file.

Andrea Smith, a Tsalagi (Cherokee) professor of Native American and women's studies at the University of Michigan, finds the attorney's decision depressingly par. Her attempts to study rape prosecutions in Indian Country have been frustrated because "not one U.S. attorney will tell me the number of rape complaints they receive or prosecute." When Smith researched one southwestern reservation, she found no rape prosecutions for 2000, and she says she will never forget the Justice Department official in the late Clinton years who said only two U.S. attorneys nationwide would prosecute reservation rapes. "If it's this bad today", Smith says, "imagine what it must have been back then."

There is nothing in the 1967 investigation to suggest the FBI or U.S. attorney gave favorable treatment to Janklow per se. He appears to have benefited "merely" from an attitude that alleged crimes against Indians, perhaps particularly when the accused were white, were nothing to exert oneself over. But the 1975 investigations, before Janklow's Senate confirmation, smell of something worse. By then South Dakota had become the most important theatre in the war between the American Indian Movement and federal and state governments. The FBI, for its part, infiltrated and illegally wiretapped AIM. It gave armor-piercing bullets to right-wing squads that beat and killed AIM members, then half-heartedly investigated the violence. Under its auspices, AIM was framed with crimes large and small, witnesses were intimidated into giving false testimony, exculpatory evidence was withheld. In much of this, US attorneys were complicit. More than one federal judge would eventually characterize the federal tactics as "arrogant," "deliberate misconduct," "in bad faith," and "to be condemned". Janklow, who once said the way to deal with AIM leaders was "to put a bullet in their head",worked in step with the feds. The peak of the struggle came in mid-1975, neatly coinciding with Janklow's confirmation. If the Bureau could look the other way on political murders, why couldn't it do likewise for a mere rape charge against a political ally?

The FBI's motive will probably never be discovered, but the new documents make clear the FBI gave Janklow a pass. It could do so with impunity because the White House and Senate, after letting themselves be snookered, vouched for the FBI's work. The President's counsel, citing "45 interviews in several different states, comprising some 375 FBI agent hours," called the 1975 investigations "extensive". Senator Cranston called them "fair and thorough ... complete." Liberal Republican Senator Jacob Javits said they "vindicated [Janklow] completely". But in truth the FBI files are very thin. At least 28 of the 45 interviews were of the "Is the nominee a Communist?" type, standard to background checks of the period and irrelevant to the alleged rape. Of the remaining 17, it is not clear how many dealt with the rape (the files are heavily edited). But it is plain the interviews were brief, their content minimal. Of the few witnesses from 1967 who were reinterviewed, no new ground was covered. Most damningly, there is no record that the FBI spoke with any of the original fact-finders: Neither agent Penrod, then still in the FBI's employ; assistant U.S. attorney Clabaugh; the young doctor; nor the BIA cop (who believed Eagle Deer) recalled visits from the FBI in 1975. Nor is there any sign that the obvious screamers in the case, like Janklow's shortened drive, the shoddy rape exam, or the lack of physical evidence, were explored.

Jonathan Steinberg and Donald Elisburg reviewed the investigation for the Democrat-controlled Senate committee. Steinberg, now a federal judge, claimed (dubiously) that it would be improper for a jurist to discuss such past work. Elisburg, hazy on details, was certain the charge was taken seriously. "But it would also be fair to say," he allowed, "that the level of intensity of scrutiny was definitely not where it is now. It was much more, not casual, but collegial in dealing with nominations."

During the 1975 reinvestigations, speeding joyriders ran over Eagle Deer on a rural Nebraska highway. She was supposed to have been traveling by car from South Dakota to Iowa, but she died on foot one hundred miles off route. Her ride was never found. Contemporary reports put her shortly before her death with a man matching the description of Douglass Durham, the most notorious of the FBI's infiltrators of AIM.

In a 2000 report, the Bureau said it didn't investigate Eagle Deer's death because Nebraska police had jurisdiction (in fact, the Bureau has jurisdiction over both possible kidnappings and the acts of its informers), and the Nebraska investigation found Jancita Eagle Deer was the victim of an car vehicular accident. Twenty-eight years later, Indians may be forgiven for finding irony in the undoing of Janklow by a similar accident.

Stephen Hendricks is writing a book on the struggle between Indians and the federal government, forthcoming from Four Walls Eight Windows. He lives in Helena, Montana.

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Weyerhaeuser was the largest landowner in Arkansas. During Clinton's idealistic first term, he tried to curtail the roughshod logging practices of the timber industry in the state by placing limits on clearcutting, aerial pesticide spraying and logging near streams and rivers. The new regulations riled Weyerhaeuser, which poured money into the campaign of Clinton's rival Frank White. Clinton lost and retreated to a corporate law firm in Little Rock run by his pal Bruce Lindsay to lick his wounds and plot his return to power.

Lindsay soon introduced the humbled Clinton to Jack Creighton, Weyerhaeuser's CEO. Clinton confessed his mistakes and pledged to devote himself to protecting Weyerhaeuser's interests should he ever return to the governor's mansion. The timber giant accepted Clinton's apologies, invested heavily in his re-election bid and remained a faithful political sponsor over the next 20 years.

When local Forest Service officials tipped Weyerhaeuser to the criminal probe on the Winema Forest, Weyerhaeuser executives complained to their two protectors in the Clinton inner circle, McLarty and Lindsay. The White House instructed political appointees in the Department of Agriculture to tell Thomas to kill the investigation. And so it came to pass.

"The bottom line is that Weyerhaeuser is one of the largest companies in the world," says Shrader. "When you've got an organization that large and with that kind of clout and that amount of resources, they are able to apply political pressure."

While Thomas may have intervened in order to save Weyerhaeuser, his decision to terminate the task force entirely had the effect of halting every other timber fraud investigation then under way.

Up in southeast Alaska a two-year long probe by the task force had uncovered an even grander timber theft scheme unfurling on the Tongass National Forest, the nation's largest publicly-owned forest. Investigator Steven Slagowski had been presented with compelling evidence that large rafts of timber logged off the Tongass by the Ketchikan Pulp Company, owned by Louisiana-Pacific, were routinely disappearing at night before they could be scaled and inventoried by Forest Service workers. The timber ended up being sold to lucrative Asian markets, in violation of federal laws requiring the logs to be sent to Alaska mills.

This was just one of a number of scams on the Tongass uncovered by Slagowski and his colleagues in 1994. He estimated that as much as one out of every three trees logged from the Tongass was illegally cut. In some cases, entire islands were clearcut with the timber companies paying little or nothing for the trees. The illegal cutting often occurred in endangered species habitat. He noted that nesting sites for bald eagles and marbled murrelets, a small forest-nesting seabird, were both routinely clearcut. "It was theft of unprecedented proportions," Slagowski said.

As in Oregon, the Tongass timber theft ring thrived with the collusion of Forest Service officials, many of them high ranking Forest Service managers, who routinely gave advance warning to targets of the investigation. All of this has come out through a lawsuit filed with the US Merit Systems Protection Board by five members of the task force who are seeking the return of their jobs. The MSPB is a federal administrative court charged with hearing claims brought by federal whistleblowers who have suffered retaliation for exposing government corruption.

"Since 1995, ongoing investigations have been disrupted or are simply gathering dust," says Tom Devine, a lawyer at the Government Accountability Project, which represents Marion and five other whistleblowers from the quashed task force. "No new major fraud cases have been opened and only small, firewood theft cases are being investigated."

Steal a tree for firewood go to jail. Steal an entire forest of trees and ship the logs to Japan and watch your company's stock soar.

The Bush administration, naturally, sees no compelling reason to restart an investigation into white-collar crime in the forest. Instead, they have moved to make the forests easier for timber companies to legally steal trees from the public lands. In November, Bush signed the deceptively-titled Healthy Forests Initiative, which prescribes wholesale clearcutting of public forests immune from legal challenge and environmental strictures_all in the name of fire prevention.

A couple of weeks later, Bush issued an executive order opening 300,000 acres of ancient forest on the Tongass to logging. Clinton had deferred logging on these lands, but rejected pleas from environmentalists to permanently protect the temperate rainforest from cutting. Bush exploited the loophole at the request of Alaska's Senator Ted Stevens who, as detailed in an extraordinary profile in the Los Angeles Times has exploited the appropriations process to enrich himself, his family and his son's clients, including timber companies operating on the Tongass.

None of this logging will have to take place under cover of darkness. CP

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